

**ONTARIO REGULATION 71/22**

made under the

**EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT**

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**CRITICAL INFRASTRUCTURE AND HIGHWAYS**

1. The terms of this Order are set out in Schedule 1.

**SCHEDULE 1  
CRITICAL INFRASTRUCTURE AND HIGHWAYS**

**Interpretation**

1. In this Order,

“critical infrastructure” means,

- (a) 400-series highways,
- (b) airports,
- (c) canals,
- (d) hospitals,
- (e) infrastructure for the supply of utilities such as water, gas, sanitation and telecommunications,
- (f) international and interprovincial bridges and crossings,
- (g) locations where COVID-19 vaccines are administered,
- (h) ports,
- (i) power generation and transmission facilities, and
- (j) railways; (“infrastructures essentielles”)

“provincial offences officer” has the same meaning as in subsection 1 (1) of the *Provincial Offences Act*. (“agent des infractions provinciales”)

**Impeding access or egress re critical infrastructure**

2. (1) No person, whether acting individually or in cooperation with others, and whether through the use of a motor vehicle or by any other means, shall,

- (a) impede access to or egress from, or the ordinary use of, critical infrastructure; or
- (b) directly or indirectly cause such access, egress or ordinary use to be impeded.

(2) No person shall provide assistance to an individual to knowingly aid the individual to do anything prohibited by subsection (1), including by providing supplies, fuel or other materials.

**Impeding access or egress re highways**

3. (1) No person shall impede access to or egress from, or the ordinary use of, any highway, walkway or bridge where such impediment has the effect of,

- (a) preventing the delivery of essential goods or services;
- (b) severely disrupting ordinary economic activity; or
- (c) causing a serious interference with the safety, health or well-being of members of the public.

(2) For greater certainty, subsection (1) does not prohibit an impediment that is trivial, transient, or minor in nature or where users of the highway, walkway or bridge can easily avoid the impediment.

(3) In this section,

“highway” means a highway as defined in the *Highway Traffic Act*, other than a 400-series highway.

**Order**

4. (1) A police officer or other provincial offences officer who has reasonable grounds to believe that one or more individuals are in contravention of section 2 or 3 may,

- (a) order the individual to cease contravening the section;
- (b) where there is more than one individual, order the individuals to disperse; and
- (c) order the individual to remove any object that the individual used in the contravention, whether the object was used in the contravention before or after this Order takes effect.

(2) Every individual to whom an order is issued under subsection (1) shall promptly comply with it.

(3) If an individual fails to promptly remove an object after being ordered to do so under clause (1) (c), then a police officer or other provincial offences officer may remove the object.

**Order re removal of vehicle**

5. (1) Where a vehicle owned or operated by an owner or operator is used in the contravention of section 2 or 3, the Registrar, a police officer or other provincial offences officer may order the owner or operator to remove the vehicle.

(2) Notice of an order made under subsection (1) may be given by any means that the person giving notice believes may be reasonable to bring the order to the attention of the owner or operator.

(3) An owner or operator who receives notice of an order made under subsection (1) shall promptly cause the vehicle to be removed.

(4) If an owner or operator fails to comply with subsection (3), a police officer or other provincial offences officer may cause the vehicle to be removed.

(5) For the purposes of this section,

“operator” means,

- (a) an operator as defined in subsection 16 (1) of the *Highway Traffic Act*, or
- (b) in the absence of evidence to the contrary, where there is no CVOR certificate, national safety code number under the *Motor Vehicle Transport Act* (Canada), or lease applicable to the vehicle, the holder of the plate portion of the permit for the vehicle; (“utilisateur”)

“owner” includes,

- (a) the holder of a permit as defined in section 6 of the *Highway Traffic Act*, and
- (b) the holder of the permit corresponding to the number plate issued under section 7 of the *Highway Traffic Act* that is displayed on the vehicle. (“propriétaire”)

**Permits, licences and certificates under the *Highway Traffic Act***

6. (1) Despite anything in the *Highway Traffic Act*, where the Registrar or Deputy Registrar believes on reasonable grounds that,

- (a) the holder of a driver’s licence, motor vehicle permit or CVOR certificate has contravened section 2 or 3 or has failed to comply with subsection 4 (2) or 5 (3); or
- (b) the holder of a CVOR certificate was the operator of a motor vehicle that was used in or during a contravention of section 2 or 3,

the Registrar or Deputy Registrar may, by order, suspend or cancel the driver’s licence, plate portion of the permit or CVOR certificate.

(2) A person has no right to be heard before the Registrar or Deputy Registrar makes an order under subsection (1).

(3) The Registrar or Deputy Registrar may give or provide notice of an order made under subsection (1) by any means that the Registrar or Deputy Registrar believes may be reasonable to bring the order to the attention of the person affected.

(4) An order made under subsection (1) takes effect on the date and at the time set out in the order, whether or not the person affected has received notice of the order.

(5) If the permit for a motor vehicle has been suspended or cancelled by an order made under subsection (1), a police officer or other provincial offences officer may seize any number plates displayed on a motor vehicle, including any number plates issued by another jurisdiction.

(6) In this section,

“CVOR certificate” has the same meaning as in section 1 of the *Highway Traffic Act*; (“certificat d’immatriculation UVU”)

“driver’s licence” has the same meaning as in section 1 of the *Highway Traffic Act*, and includes a driver’s licence issued by another jurisdiction; (“permis de conduire”)

“operator” has the same meaning as in subsection 16 (1) of the *Highway Traffic Act*; (“utilisateur”)

“permit” has the same meaning as in section 6 of the *Highway Traffic Act*, and includes a permit issued by another jurisdiction; (“certificat d’immatriculation”)

“Registrar” and “Deputy Registrar” mean the Registrar of Motor Vehicles and any Deputy Registrar of Motor Vehicles appointed under the *Highway Traffic Act*. (“registreur”, “registreur adjoint”)

Français

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